LOW CONVICTION RATE IN ATROCITIES

(UNDER SC/ST PREVENTION OF ATROCITIES ACT 1989)

FROM MARATHWADA: A SOCIAL INVESTIGATION

Introduction

In the present context, the scenarios of Dalit Atrocities are changing. There are various socio-cultural, economical, political, ideological and legal forces are determining the present status and situations of the atrocities. The atrocities have various dimensions. The existing studies on the atrocities came with the major findings such as, due to the caste dominance, ideas of feudalistic structure and notion of untouchability etc are identified as the major causes of the incidents of atrocities on the Dalit communities on one hand, and on the other hand, constitutional provisions, reservation policies and welfare schemes for Dalit communities were identified as indirect causes of the events. Despite this, there are some studies argued that dalit social reforms and social mobility of the Dalit due to the impacts of Dr. B.R. Ambedkar's ideology, impacts of social reform movements, political ideology and initiatives of Dalit movements. Thus, the exiting studies on the atrocities on Dalits have huge gaps to find out the impacts of legal provisions on the conviction rates of atrocities in the present contexts of the Dalit communities. The state and its agent first time take legal initiative to protect the rights of the Dalit through the enactment of 1955 act protection of civil right act; the major aim of this act was to control the malpractice of untouchability in society. The post-Independence era was marked by frequent instances of atrocities springing up across the country: for example, the assassination of the young, educated Dalit leader Emmanuel Sekaran in Tamil Nadu for defying the untouchability-based interdicts on Scheduled Castes, which resulted in the Ramanathapuram riots of 1957; the Kilavenmani massacre of 42 Dalits in 1968 in Tamil Nadu; the gruesome killing of Dalit Kotesu in Kanchikacherla in 1969 in

Andhra Pradesh; the killings of 10 Scheduled Tribes by police in connection with a land dispute in Indravalli in Andhra Pradesh in 1978. All such events shook the then national leadership. Hence, under pressure from Dalit MPs, the Government of India started monitoring atrocities against SCs from 1974, and in the case of STs from 1981 onwards, with special focus on murder, rape, arson and grievous hurt. Atrocities continued to rise with ferocity and frequency – for example, in Bihar the massacres of SCs at Belchi in 1979 and at Pipra in 1980; in Uttar Pradesh the massacre following a SC bridegroom riding on horseback at Kafalta in 1980; in Madhya Pradesh the killing of Bacchdas in Mandsaur district in 1982; in Bihar the killing in police firing on 15 STs at Banjhi in Sahibganj district in 1985. In all such cases, the Indian State at both the national and state levels avoided addressing basic contradictions, vulnerabilities and causative factors; the treatment was mainly symptomatic and palliative instead of the required radical solutions. Under continued pressure from Dalit MPs and political leaders, the magnitude and gravity of the problem was finally recognised by Prime Minister Rajiv Gandhi. In his Independence Address on 15 August 1987, he announced that an Act would be passed, if necessary, to check atrocities. Despite of this act, the events of untouchability are not controlled and decreased. Therefore, State and its judiciaries have enacted new atrocity act in1989 to provide securities and protection to the victims of scheduled castes and tribes of the India. But the result of this act is not impressive and still the rates of atrocities are not controlled. In the implementation of this act, the various actors are playing very important roles such as, police department, political power, judiciaries and governmental agencies. Despite these active agents and their active role in the resolve the cases, but there are many cases are still pending without providing justice to the victims from long time. As result of this, the common person, victim is waiting for justice. Thus, the available figure from the National Statistics of India shows the present status of atrocities on Dalit are 3, 80,569 during the year of 2010 to 2016.During these same time period, data shows that out of these

reported cases of the atrocities, the **40,773** cases were ending with conviction. There are other **1, 07,655** cases were end with acquittal. Thus, the overall conviction rates of dalit atrocities are only 20%. In Atrocities cases, gender wise status shows that 2,17,877 male and 4,484 women on Bail during the stage of trial at the end of the year (2016). At the end of this year (2016), **1,49, 661** number of cases were pending with Court. The overall rate of pending cases is 89%. Thus, there is need to explore the various causes, factors and forces behind the pending cases of Dalit atrocities.

In the case of Maharashtra, data shows that 12,639 cases were reported during the year (2010-2016). Out of these cases, 8,324 cases are pending with the police at the end of this year. Around 31,852 cases have sent for trial during same the year. The published data in Lokstta News Paper also on Dated 18 Sep 2016 also shows that there are 8,698 cases registered from Maharashtra and conviction rate of these cases are very low; it is only 6.6%.

The conviction rate remains very low and thus, this area has scope to explore the various factors, forces and causes behind the low rate of conviction of the atrocities. The events and issues took place in the different parts of the Maharashtra are murder, rape, arson, beating, humiliation and a host of prohibitions particularly in rural areas with Scheduled castes and scheduled tribes. Further, Within the Maharashtra, it varies the status and events of atrocities across the regions and Marathwada region records more atrocities on Dalits than other regions of the State which is attributed to its feudal and caste based patriarchal social structure. Beed, Parbhani, Jalana, Nanded and Omarabad districts have made national headlines in the systemic and sporadic violence perpetrated on different Dalit communities in the last six decades. The Government of Maharashtra has identified Parbhani and Beed districts as the most atrocity-prone areas of the Marathwada region. Ironically Beed is dominated by Nomadic Tribes. That is, this region has to explore systematically and scientifically is needed.

In the eradication and prevention of Atrocities and providing justice to the victims, the legal provisions were made and enacted Atrocities Acts 1989 and rule 1995 to provide justice to the Dalits. Under this act, various provisions are made, such as 1. Every information relating to the Commission of an offence under the Act, if given orally to an officer in charge of police station shall be reduce to writing and be read over to the information and every dsuch information whether as aforesaid shall be signed by the persons giving it, and the substance giving it and the substance there of shall be entered in a book to be maintained by that police station. 2. A copy of the information as so recorded under sub rule (1) above shall be given forthwith, fee of cost to the information. 3. Any person aggrieved by a refusal on the part of an officer in charge of police station to record the information referred to in sub rule (10) may send the substance and by post to the Superintendent of Police Concerned who after investigation either by himself or by a police officer to below the rank of Deputy Superintendent of police , shall make an order in writing to the officer in charge of the concerned of that information to be entered in the book to be maintained by the police station.

Spot inspection by officers

Whenever the District Magistrate or Sub- Divisional Magistrate or any other executive Magistrate or any police officer not below the rank of Deputy Superintendent of police receives an information from any person or upon his own knowledge that an Atrocity has been committed on the members of the Scheduled castes or the Scheduled tribes within his Jurisdiction he shall immediately himself visit the place of occurrence to assess the external of atrocities loss of life, loss and damage to the property and submit a report forthwith to the state Government.

2. The district Magistrate or the sub Divisional Magistrate or any other executive magistrate and other Superintendent of police Deputy Superintendant of police after inspecting the place or area shall on the spot.

1. Draw a list of victims, their family members and dependents entitled for relief.
2. Prepare a detailed report of the extent of atrocity loss and damage to the property of the victims
3. Order for intensive police patrolling in the area.
4. Take effective and necessary steps to provide protection to the witnesses and other sympathizers relief to the victims. Under this law police always do their work, after completed their investigation they FIR against the accused and file case. If the incident was Fake Police never registered case against accused. According to this law, Police reported case in Court then presses of court is started.

After this law and Judiciaries, this is most important think and question why conviction rate is low? In Dalit atrocities from India, the rates of conviction are varied.

However there is law (1989) and provisions are made in the same to provide security and justice to the deprived sections of the society, but still, the cases of atrocities are not declined. Despite the provision of law and role of judiciaries, the results of the reported cases are not in favour of the Dalits. In the view of this, this study will make effort to explore the various other social, cultural, political and judicial dimensions of the low rate of conviction of atrocities in the Marathwada region.

Review of Literature

Shah Ghanshyam, Untouchability in Rural India ,2006, Sage Publications New Delhi.

This book is published and written by Ghanshyam Shah, harsh Mander, Sukhadeo Thorat,Satish Deshpande,Amita Baviskar, These all are famous Dalit scholar and writer. This book is totally committed on field work basis and their knowledge.

In this study they took to survey approximately 50 villages in each of the 11 state chosen for the study, which aggregated 565 villages in the total sample and these states were chosen for study ,Andhra Pradesh, Karnataka, Tamil Nadu, And Kerala from the South, Madhya Pradesh ,Maharashtra, and Rajasthan from central and western India

Punjab and Uttar Pradesh from North and Orissa and Bihar from eastern India. Thus the study covers as many as 11 of the 17 major states of the country and a fairly substantial portion of the country in term of both area and population. Moreover the state selected account for about 77 percent of the total Dalit population of India.

In this field based study they find in India today how untouchability practices with Dalit in their daily life. In this book showing from table 2:1 they find that rural untouchability is most widely prevalent in the interpersonal and cultural religious spheres. The four forms /site listed in column 1 refer to discriminatory prohibitions on entry of Dalit into non-Dalit homes (73 per cent), food sharing (70 per cent) and temple entry (64 percent) and to ill-treatment of Dalit women by non-Dalit women(53 per cent). This type of condition showing us through out from India and also in metro cities.

From table 2:3 shows discriminatory treatment in government services, they highlight where actual physical access may not be denied but the service concerned may still be effectively denied or offered only in a discriminatory and severely curtailed from ,For ex. almost 33 per cent of the surveyed village health worker do not visit Dalit house /or neighbor hoods. It is important note that as many as 30-33 per cent of the village reported discrimination against Dalit in police station Self Help Groups and Panchayat Dalits do not get letters delivered in polling booths and primary Health centers thought it is at some what lower level of incidence (9-12 per cent) from table no2:4 shows denied access to water facilities 48.4 per cent. To access to restaurants/ hotels 25.6 per cent. From Table 2.5 shows denied barbers service nearly 46.6 per cent denied washer men's services 45.8prc cent. (Just one year ago that type incident happen in Uttar Pradesh when washer man know his customer boy he belongs from Scheduled caste ,that time the boy was bitten by dominate caste people)

Violence against Dalits in this chapter they shows statistic data of reported atrocities cases from different part of country show that Dalit women amd men become

the target for upper caste violence when they dare to protest the infringement of their right .

In this book study focus on through untouchability and their roots in society with this basis how Dalit were targeted by dominant and so called upper caste people because polities and social power in cultch of their hand and how they use to do counter to Dalit .

Singh R.A.P, "Dalit and social Equality", Aavishkar Publication ,Distributors, Jaipur (2010)

In this book writer focus on Dalit Problems and Dalit Atrocities and also Land atrocities. Land atrocities is the one most problem of happen atrocities against Dalit in Marathwada.

In this study writer focus on Uttar Pradesh. He wrote on crime against Dalits in Uttar Pradesh are increasing despite the state having a Dalit Chief Minister.the figures reval that such crimes rose by 50% in 2008. A total 6942 cases of murder, rape and other crimes was reported in 2008, in Uttar Pradesh as against 6628 case in 2007.

Writer classification of crime again Scheduled caste scheduled Tribes, he said the crime against Scheduled caste scheduled Tribes are broadly categorized under two major heads

First, under The Indian Penal Code (IPC), Murder hurt, rape, kidnapping and abduction dacoit robbery arson. And Second is Protection of civil Right Acts1955 and The Scheduled caste scheduled Tribes (Prevention of Atrocities)Act 1989.

In atrocities related to land in this chapter he wrote in Uttar Pradesh in 1999 Dalit leaders demands for land also .

Karade Jagan, Caste Discrimination, Rawat Publications (2015)

Caste Discrimination is the edited book edited by Jagan Karade. In this book 12 eassy on different issue like caste discrimination, caste based discrimination ,hidden caste in Panchayat raj and other. Karade said since the last 66 years of independence

of constitution of India has provided protection to Scheduled caste and Scheduled tribes. These constitutional and legislative measures to protect the right of Scheduled caste scheduled Tribes and other Backward classes have been enacted in most affected states and the implementation of such laws remains alarmingly weak and insufficient and he also wrote prevention of Atrocities Act1989 to prevent and protect Dalits from atrocities committed against them by non Dalits , the low conviction rates shows that this act does not live to its objectives.

Smriti Bhosale in her eassy she recommendations such one point enforce and implement an effective and time bound programmer abolish untouchability and similar practices in all spheres.

In this book all scholar highlight caste and their impact rooted in society and practices of untouchability discrimination on the basis of caste

A Ramaiah, Laws for Dalit Rights and Dignity (2007), Rawat publications, Jaipur.

Ramaiah is the famous scholar and writer, he wrote more book on Dalit issue. In his book and writing he focus on Dalit problems.

In this law for Dalit Rights and Dignity2009 , this book was published by Rawat publication. In this book he focus on legal protection to Dalit law and justice. Experiences and responses of victims and witnesses and he also reports on combating crime against Dalits in the state of Tamil Nadu. His study's objectives is related to Dalits problems like he choose one objectives to understand the attitude of the police towards Dalit victims approaching them for help , and he study on southern Tamil Nadu in three districts Ramanathapuram ,Virudhunagar and Sivagangai.

Legal protection to Dalits in this chapter he highlighted on ancient laws favoring Untouchability and atrocities. Brahamincal laws Manusmrit and Dr Ambedkar's work on equality and he define touching to chandales or chandales touching toother and he also discussed on per-independence legal initiatives against untouchability as like

1909,1917,1923,1931,meetin National congress reversed its long standing policy 1938 Madras temple entry act PCRAct 1955, POA Act 1989 and he shows statistic data of crime against Scheduled caste scheduled Tribes in the year 1992-1999.

In this book A Ramaiah conclude the police personnel in general seem unaware of the various provisions particularly of the POA act, the police may there fore be properly trained and guided to use these laws effectively and to ensure justice to the victims and he also say as long as Scheduled caste live in village in small numbers, they will not be able toprotect themselves from the atrocities and exploitations by the caste Hindu who are not only large in number and politically well connected but also enjoy the support of fellow caste policeman. Wjo are in majority in the police force. It is therefore recommended that all the scheduled caste families living in the those village predominantly inhabited by the dominant caste hindus may be shifted to other villages where their fellow caste members are in large numbers and where there is no or very limited scope for the caste Hindus to discriminate and exploit them. The Government may help such families by buying whatever quantum of land they own and providing the same ,if not more and better quality of land at the newly settled place such an arrangement would permanently put and end to this otherwise perennial problem

Deshpande Satish (Edited),The problem of Caste 2015,Essay from Economic and Political weekly, Orient Black swan Publications

In this edited book Satish Deshpande collected essay from published in EPW on cast and caste problems. In this book Galanter Marc wrote paper on Untouchability and the law (Page No 89). Sundar Sarukkia wrote essay on phenomenology of untouchability. Anand Teltumbde wrote paper on Khairlanji and its aftermath, and Gopal Guru wrote essay on Archaeology of Untouchability. In this book there werenumber of 40 essay wrote on caste and caste problems reservation by different scholar.

Untouchability and the law in this essay untouchability offense act UOA forbid the denial of facilities and services on the ground of untouchability. in this paper he highlight on cases reported in court like in the case of Kandra sethi V/S Metra sahu wher the Dhobi complained of exclusion from a village kirton. The defense was that dhobis as a class were not excluded since the Kirton had been attended by a dhobi. The court upheld the defense that the exclusion of the complaint was not them on the basis of his caste etc he give expel as like Kerala high court,Ramchadran pillai V/S State of Kerala aspirate division exclusively of Harijan Student (Harijan …He use term for Dalit Or Scheduled caste). The Allahbad High Court reversed the conviction of hotel proprietor who had put up a sing intimating that the hotel would serve only Brahmins ,Thakures, Vaishyas, Kashthriy and yadvanshim. The court held that since many other communities beside , Harijan were not served refusal to servs the latter was not on ground of untouchability and their fore not a offence.

Phenomenology of Untouchability in this essay he wrote, it has been argued that Untouchability is a characteristic of the Brahmins community and in his notes he wrote Quigleys later book (2005) has a section on kinship and untouchability but says little of value about the nature of untouchability and misses the fundamental import of untouchability in Brahmins.

Kharirlanji and its aftermath in this essay Anand Teltumbde wrote Maharashtra is as casteist as any other state . its has an inglorious track record of heinous atrocities perpetrated on Dalit , Maharashtra rank 10^{th} among 35 states for crime committed against Scheduled caste and scheduled Tribes in 2005. That type of other essay wrote by the problems caste selected from EPW .

Jodhaka Surinder, Village Society, essays from Economic and political weekly, Orient Black Swan publications Hyderabad.2015

In this book Village society selected essay included from EPW and this book is edited by Surindar S Jodhka and in this book essay on village society Method of

perspectives , social culture life, social , economic and political processes perspectives on change and two essay are related to dalit and caste issue. The Untouchability present fro north Bihar, alnd labour and caste politics in rural TamilNadu in twentieth century.

Mukul Sharna in his essay he wrote the musahars belongs to the Scheduled Caste . cate and populet several districts north Bihar Musahars doing work on mitti (soil) from this caste young are always migration fromBihar to other State and more children were child laborers.

And writer highlight in june 1998 Tilaya Deviand her khair village witnessed an armed attack. They had never experienced in their life time on such a scale around 40-50 yadsvs of the same village attacked the village and left in an hour.

Pai Sudha, "Dalit Assertion" Oxford University Press 2013

This book Dalit assertion written by Sudha Pai,in this book she wrote an issue assertion democratization and polities , she said last few decades, India has experienced a strong wave of Dalit assertion. Dalit assertion greater political participation of this disadvantaged section and helped shape the nature and direction of democracy in this county such direction have often led to social conflict and violent caste atrocities against Dalit in many part of country and she also wrote on ideological strand in the Dalit movement and expaln Dravidian and Adi dravid concept, Gandhin contrast, Ambedkar's and Post Ambedkar's. Dalit assertion at the grass roots in this chapter she said Dalit challeng to upper caste domination and oppression has taken two amin froms mobilization through movement and political and assertion at the grass roots.

And she said some new features have characterized crimes against Scheduled cast science the late 1970's first the number of caste based crimes against Scheduled Caste increased sharply in the 1980's and 1990's. Second discriminations based on various forms of ritual untouchability has been largely replaced by caste atrocities such as rape,

not allowing SC to cast their votes burning of houses, parading naked women in village streets and breaking or removing Ambedkar statues. Third most of these crime are perpetrated by the traditionally dominant land wring middle or Backward caste such the Jats Gujjars and yadav.

In this way writer explain Dalit political parties like BSP other local parties and their working with Dalit issue National and local issue related with Dalit and changing identities of Harijan to Dalit ,changing pattern of Dalit middle class activism. That type of issue she highlight in his book.

Arun Kumar, 'Dalit and economic reforms, Rawat Publications Jaipur 2010

This book is edited by Arun Kumar and in this book all scholar explan Dalit problems with economic concept. In this bool there were 16 research paper like violation of human rights of women and new economic policy , globalization and its impact on Dalit.

Violation of human right of women and new economic policy in this essay Ranjana Mishra and sunilkumar Shrivastav explan and wrote women working in administration field have to face identity crises if they belong to Dalit- whit collared, middle class- they suffer a kind of inferiority comples cabout their caste and its identity they also suffer cultural identity.

Chitra prabhat in his essay globalization and its impact on Dalit, she wrote the impact of globalization on dalit can be assessed along several dimension but here the study confines itself to the three must predominant ones viz social states employment and reservation in services. She said in social terms all Dalit irrespective of their economic standing in rural areas but in urban areas they have made significant progress

Omvedi Gail, " Dalit Vision" Orient Black swan 2006 reprinted 2010,2014

In this book Gail highlight on Dalit issue with Dalit vision. She intricate to he construction of Hinduism and approt of Jotiba Phule to Hinduism and patriarch with

women issue with explain of Ramamabi Tarabai and other women. Rising of Dr B.R Ambedkar and Hinduism as Aryan conquest.

And she also desiccate on Hinduism feudal backwardness and the Dalit panthars activesam to change society and she also explain the logic of Dalit polices

Thorat Sukhadeo." Dalit in India, search for a common destiny 2009 Sage Publications New Delhi

Sukhadeo Thorat is the famous economist and he published more important books on Dalit issue on economic basis

In this book he explain and wrote issue of Dalit in different way like the scheduled caste who are they and he said for this concept he gave reference from 1932 provincial government of Bengal committee. India act 1935 a scheduled containing article 341 on this basis he expand scheduled caste it is essay to understand the concept.

In this book he explain the patter of rural occupational in the agricultural sector patter of landownership (land is the most high issue for Dalit atrocities) disparities landownership is highly skewed against Scheduled caste. Nearly 70 per cent of scheduled cast house –hold either do not own land or have very small landholding of less than 0.4 ha a very small proportion (less than 6 per cent)consist of medium and large frames. The scenario of landownership among scheduled caste is even grimmer in Bihar, Haryana, Kerala and Punjab where then 90 per cent of scheduled caste household possess negligible or no land. He also explain on employment issue the scheduled caste male employment rates 946.2 per cent rural an 45.8 per cent urban were lower then the employment rates of non Scheduled caste scheduled Tribes male 48 per cent rural and 49.6 percent urban)

On reservation policy he said, the above collection of data clearly educidates the fact that the intended benefits of the reservation policy have not percolated down to scheduled caste

From this book Thorat explain practices of untouchability and Atrocities. In this chapter no13 the perpetual threat of violence and atrocities against Scheduled caste and the deep entrenchment of caste discrimination prompted the government to promulgate the protection of civil rights (PCR) act and scheduled castes and scheduled Tribes prevention of Atrocities (POA)act. The objectives of these acts clearly emphasise the intention of the government ot deliver social justice and enable scheduled caste to live with dignity without fear of violence and atrocities for the same purpose the act incorporate strong compensatory and punitive measures unfortunately even the presence of such elaborate statutes does not act as a deterrent scheduled caste and their discrimination in secular pubic spheres continues unabated. In this chapter they studied different part of India like Karnataka , Andhra Pradesh Orissa, Gujarat.

And he said nature of various crimes committed against Scheduled Caste mirror the oppressive and violent characters of the caste system. The regular reportage of atrocities against scheduled caste indicative of the fact that discrimination and untouchability are still being practiced and that the traditional mechanisms of their enforcement are still in vogue.

And in this chapter he summarized the violent opposition by the higher castes to the efforts by Dalits to seek common right acts as a major deterrent on their right to development and their seeking equal treatment and an equal share in the country progress. Therefore considering the magnitude and pattern of atrocities and opposition inflicted upon the marginalized community it is important for the state to sincerely and effectively implement the various laws enacted for the purpose, consistently make efforts for capacity building within the government and its watching bodies strictly enforce legal effectively converge legal guidelines effectively converge regulatory and development programmers use information as a tool for influencing civil society draw up a uniform code of conduct for the state Government enhance the share of Government and encourages non official monitoring bodies.

In the book writer expel article from India constitution and detail about atrocities prevention Act1989.

Singh R.A.P,Dalit and Social Equality, 2010,Aavishkar Publication Distributors Jaipur

In this book writer focus on Dalit problems and Dalit Atrocities and also land Atrocities. Land Atrocities is the one must problems of happen atrocities in Maharashtra.

In this study writer focus on Uttar Pradesh he write crime on Dalit in UP are increasing despite the state having a Dalit Chief Minister, the figure revel; that such crimes rose by 50% in 2008. A total 6942 cases of murder ,rape and other crimes was reported in 2008,in Up as against 66208 cases in 2007.

Writer classification of crime against S/St, he said. The crime against scheduled Caste , Scheduled Tribes are broadly categorized under two major heads.

First under the Indian Penal code(IPC) Murder, Hurt, Rape Kidnapping and abduction dacoity, robbery, arson and second is protections of Civil Right Act 1955,and Scheduled Caste, Scheduled Tribes (Prevention of Atrocities)Act 1989.

In Atrocities related land in this chapter he write in Uttar Pradesh in1991 Dalit Leader demand for Land. in this book writer focus on Dalit issue and he use most of secondary data.

Karade Jagan, Caste Discrimination, Rawat Publications, Jaipur 2015.

Caste Discrimination is the edited book and edited by Jagan Karade. In this book 12 essay on different issue, like caste discrimination, caste based discrimination hidden casteism in education in India , hidden caste discrimination in Panchayat Raj and other. Karade said since the last 66 years of independence the constitution of India has provide protection to Scheduled caste and Scheduled Tribes. These constitutional and legislative measures protect the rights Of Scheduled Caste and Scheduled Tribes and other Backward classes have been enacted in most affected

states and the implementation of such laws remains alarmingly weak and insufficient and he also wrote Prevention of Atrocities committed against them by non Dalits , the low conviction rates show that this act does not live up to its objectives.

Smriti Bhosale in her essay she recommendation such one point enforce and implement an effective and time bound program abolish untouchability and similar practices in all spheres.

In this book all scholars highlight caste and their impact rooted in society and practices of untouchability discrimination on the basses of caste.

Jogdand P.G, New Economic Policy and Dalits , Rawat Publication 2000

New economi policy and Dalit, this book is edited and edited by Jogdand P G. he wrote more on Dalit issue like Dalit Movement , Theory of Social Movement .

In this edited book there were 19 essay or full paper on the issue of Dalit and Tribes. They highlight economic and social policy for Dalit . Generalizations impact on Dalit employment problem in front of Dalit youth.

Narwani G S, Atrocities against Scheduled caste and Scheduled Tribes,2011 Rawat Publication Jaipur

This book is written by G.S narwani in this book cantents are caste system in India , dalit and human right, Constitutional safeguards for Scheduled Caste Scheduled Tribes, Measure to prevent Atrocities Against Scheduled caste Scheduled Tribes,field Insights Handicaps in Implementation of laws ,conclusions and suggestion.

In this book writer said he explain caste stretcher and its origin and said caste system played an influential role in shaping economic activities because of division of labour resulting in specialization. In social status of Dalit he said Dalit status has often been historically associated with occupations requarded as ritually impure such as butchering removal of rubbish ,removal of waste and leather work about Atrocities act 1989 wrote in 1989 the Government of India passed the prevention of Atrocities Act (POA) which clarified specific crimes against Scheduled Caste and Scheduled Tribes

as Atrocities and created stategies and punishment to counter these acts. The purpose of the act was to curb and punish violence against Dalits.

And he also wrote in his book ,caste based discrimination and Atrocities against Dalit community is alarmingly increasing allover India that lead to bloody and brutal killing of Dalit everyday.these antisocial activities committed by so called caste Hindu terrorize the Dalit in many parts of India and there is hardly any day when Dalit are not killed ,harassed socially boycotted by the upper caste. Their house are burnt physical violence against Dalit women like rape terrorizing the Dalit women by parading them naked on streets cutting genitals of Dalit children beating elderly Dalits are rampant and it is like an epidemic in rural areas and villages across India.the so called Hindu cannot tolerate Dalits for no reason.

In the of lacunae in legal processes in Atrocities against Dalits cases he write, Dalit have hardly any hope of protection from police personnel who register the case of Atrocities against Scheduled Caste Scheduled Tribes and are responsible for effective implementation of laws. Dalit often refrain from approaching police station for registration of complaint at the first instance in most of cases.police officers also discourage Dalits to register a case under Scheduled caste Scheduled Tribes Atrocities act since it is treated as special case and DSP will have to investigate and complete the investigation whiten 30 days , such cases are considered as a headache and an unnecessary burden by police officer.

Makwana MH & Pais Richard, "Backward Classes and Social Justice (Edited), Rawat Publications Jaipur,2011.

This is edited book on the issue of backward classes and social Justice in this 16 essay on the issues like social justice, the hidden face written by R Indra . social Justice in India a case for equality through privilege by jog Mohan Singh Verma, Social Justice and welfare state agenda in India by Rose Veer D,osouza, Backward class and

social justice through reservation by K Gopal, Scheduled Caste reservation and social mobility by Richaard pais and other total 16 essay in this book.

In this book all 16 essay is based on social justice and welfare lopicy for backward classes.

Teltumbde Anand," THe Persistence of Caste ,The Khairlangi Murder & India Hidden Apartheid, Navayana Publications 2010.

This is the most important book written by Anand Teltumbde on caste bassed atrocities in hidden mind of arthodex people. In this book writer wrote Atrocities are added association of unbridled cruelty, brutality and in-humanness.

Atrocities can be taken as the best proxy measure of the present day manifestation of caste for they mirror the lived reality of what caste in modern India means , a major antidalit atrocity invariably involves the state the media and civil society. The dynamics unleashed in its wake bring forth the true character of its agents while exposing the causal matrix behind the act. Indeed , there is no better way of comprehending the complex reality of living caste then examining the various aspects of atrocity dynamics.

Anti-Atrocity law in this chapter he wrote and explain , the POA act has addressed the dispensation of Justice in a fairly detailed manner but what it has failed to deal with is the problem of rehabilitation. It makes mention of rehabilitation but has no specific to adress it with. The very premise of the act is that victims of atrocities need special provisions unlike victims of other crimes. The victims of atrocities and their crimes. The victims of atrocities and their families need financial and other logistical supports to make them economically from the very people who abuse and oppress them. Also it would be the duty of the state to immediately toke over the educational needs of the childern of such victims and provide for the cost of their food and maintenance.

And he also explain infect, the need for providing relief and rehabilitation may extend beyond the actual victim of an atrocity to the enter community but the acts is oblivious of village dynamics . if one Dalit in village manages to gat a case registered under the act, the Dalit of the entire village will be subjected to further atrocities, social and economic boycott and blackmail, but the act make no mention of these.

The Khairlanji murders in this chapter he explain and wrote detail of Kharilanji murders and condition of the incident and fact find communal report condition of happen of atrocity and caste based murder and role of Dalit leader of in incidence.

Atrocity by the state in this chapter he wrote on state police about Dalit issue and how Government attach connection with naxslisam after protest by Dalit in Maharashtra.

Rao Anupama, " the caste question, Permenent Black , Publications 2013

In this book Anupama Rao explain about Dalit and the politices of morden India and in this book she highlight on legislating caste atrocity and erote the protection of civil right (PCR) Act of 1974 an amended version of the 1955 Untouchability (Offences) Act abolishing Untouchability in public place and explain civil right means any right accruing to a person by reason of the abolition of Untouchability by article 17 of the constitution and she wrote Dalit were excessively visible in bureaucratic discourses. That excessive presence perhaps tautologically call for state protection. It is especially noteworthy that social relations between caste Hindu and because these relations were perceived to carry the potential for violence.

Sinde Prem Kumar, "Dalit and Human Right(Edit), Isha books publications Delhi 2005

In this book writer explain social discrimination,and inequality caste based segregation in this chapter writer wrote about Untouchability and segregation states of Indian Dalit ,violence against Dalit legal protection.

He wrote 77 per cent of Dalit work force is in the primary or agricultural sector of the economy and only 16 per cent of Dalit live in Urban areas, the remaining 484 per cent in rural India. is another point he said , science the early 1990s violence against Dalit has escalated dramatically in response to growing Dalit right movement.

In this book writer explain about legal protection of Dalit and other Backward classes , the role of the police with necessarily examples.

Violence against Dalit minorities in this chapter writer explain and said police and state officials were directly implicated in any of the attacks. The BJP is the political wing of the sangh parivar. Violence and other abuse against marginalize groups in India are point of concerted campaign of these and related organization whose leadership is dominated by upper-caste Hindu to promote and exploit political and economic power

Reports

1.India Spend 04April2018 "Over Decade crime rate against Dalits up 25% cases pending investigation up99%

India spend highlight in his news over the decade to 2016 crime rate against Dalits rose by 25% from 16.3 crime pe 100,000 Dalit and the news also discussion about cases pending police investigation for both marginalized groups has risen by 99% and 55% respectively, while the pendency in court has risen by 50% and 28%repectively . the conviction rates for crime against SC's and ST's have fallen by 2 percentage points and 7 percentage point respectively to 26 %and 217 from 2006 to 2016.

In this news reporter told and dissection about delivery of justice decelerates in crime against Dalits Adivasi, pending police investigation and always make propaganda about false cases. He said in Rajasthan nearly 49% of cases were reported fond false cases and pending trial in court .last one decode pending cases in court different parts of India and he also told convection rate remains less then 30% over a decode. And he

also said A ZERO convection rate was reported in 2016 from Andaman's and Nicobars and six states Gujarat, Karnataka ,Tripura ,Uttaranchal , West Bengal and Delhi

2. India Today 30November 2017, Up dated 17 Oct 2018Five BJP ruled state have highest crime rates against Dalit reveals NCRB data

In this news India today said Madhya Pradesh recorded highest crime rate against Dalit. Uttar Pradesh recorded highest number of crime against Dalit. Gujarat has seen rise in crime against Dalit During 2014-2016.

Gujarat assembly election that time the latest data for 2014-16 reveals that Bjp ruled state recorded higest crime rates against Scheduled caste. Madhya Pradesh 12.1 percent of total numbers of crimes against scheduled castes registered in country.

In Rajasthan, which recorede 12.6 percent .in Goa only 13 cases were reported during 2014-15 and also in Bihar 5701 cases were reported.

3. The Indian Express Updated 14 April 2018

The Indian express also published, Bihar has highest rate of crime against Scheduled caste scheduled Tribes , Bengal lowest, they also reported since 2014 crimes against Scheduled caste have increased on percent over all. There was a steep rise of 5.5 percent in 2016 and also he reported in his news as per 2016 Uttar Pradesh accounts for over a quarter (25.6) of these crimes in 2016 followed by Bihar and Rajasthan constitute almost 45 percent of the total crimes against SCs among all 19 metropolitan cities . state with low prevalence of violence include west Bengal.

In this report also highlight the role of Police. Police are responsible for ensuring that a charge sheet is filed once a case is reported and that all case are then investigation and forwarded to the hearing stage and the reporter also decoction about high conviction rates

Scholars like Gail Omvdt, Anand Teltumbde, Anupma Rao, Gopal Guru, G.S.Nawani and a host of other have brought out that caste structure gets reproduced in

police, judiciary and bureaucracy. Secondly, these scholars also highlight the production relation in rural agrarian economic system where majority of Dalit agriculture workers depend on livelihood as farm labour on upper castes' agricultural fields. There have been cases of economic boycott of Dalit shops in rural Marathwada. The upper-caste landlords divide the rural Dalits playing one against the other to serve their own purpose. Gopal Guru has demonstrated that Marathwada is less industrial and more feudal and hence sustains old feudal ties more than other regions of the State. The powerful and dominant caste groups successfully co-opt and patronize Dalit leaders. In such situations conviction and punishments becomes very rare and the unjust caste order continues. And my research highlight and find why conviction rate is low in atrocities cases under act 1989. And my research work is totally different than other, many research scholar were working on Dalits movement , Dalit life style. Reservation police government policy for Scheduled caste and scheduled Tribes, with economy policy and situation of Dalit livelihood .But in convection rate of atrocities cases study did not conducted. In my research my studies focuses on Judiciaries work, police administration and why conviction rate is low. this is the totally different of my research work.

Research question

Agents this backdrop the present study seeks to address the following questions, such as;

1. Is the low rate conviction within Marathwada associated with its feudal-caste based social arrangement?
2. How state organs like bureaucracy police and judiciary interact with feudal structure to shield the powerful caste groups who inflict violence on the Dalit?
3. How hegemonic political structures co-opt and patronize Dalit leadership to prevent radical voices of Dalit or Dalit solidarity weakening the subaltern groups to fight the corrupt order.

Objective of the Study

1. To elaborate the social –economical and political context of the victims and their social, economical and political status in the social structure.
2. To identify the various causes of low rate of conviction in Dalit Atrocities cases in the local context.
3. To access the working process of Judiciaries.
4. To explore the nexus between caste, class, gender politics and Judiciaries.
5. To explore the personal views and experiences and narratives of victims of the atrocities.
6. To explore the harddles affecting conviction process.

Methodology

Qualitative as well as quantitative research methodology will be use for this research and the theoretical framework for the present study will be worked out by incorporating insights from the existing works of Dalit scholars and Dalit Perspective on the social justice to the victims. The two districts of Marathwada will be considered for the intensive study. This study will be proposed the list of universe of the victims from the both district (Parbhani and Nanded), out of these universe (total population). This study will follow purposive sampling method for the selection of appropriate sample size for this study. Study will be attempted to select 50 samples from each district that added upto 100 as whole sample of this entire study. These 100 cases were reported from police in district Court and it will be trial cases in different judiciary from two districts (Nanded and Parbhani)

Despite these 100 samples, this study will make effort to conduct in-depth interview with Judges, police man Lowers and victims. In-depth interview of the victims and or their families will help to generate significant insight into the problem. Simultaneously, the accused parties, police and members of judiciary will also be approached for interview to understand the dominant perception about the violence.

Content analysis of the FIR, police investigation reports and court proceedings will be integral part of the research.

In this research primary and secondary data will be used for depth study as like Fir copy, judgment report in atrocities cases from previous year, news paper, other related publication, internet information, seminars and police data about atrocities cases etc and 10 case study will be conducted with Victims, Judge, Government prosecutor and explain about their experience about atrocities cases, The data collection through interview scheduled will be processed with the help of SPSS software and data collection through secondary sources will be interpreted with case study method.

Chapter plan

This thesis will be consist following chapters

One. Introductions

Two. Research methods and review of literature.

Three .introduction of Nanded & Parbhani District.

Four. Quantitative data.

Five. Qualitative data.

Six. Finding

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Interview schedules

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